

Minutes of the Regular Meeting of the Gallup City Council, City of Gallup, New Mexico, held in the Council Chambers at Gallup City Hall, 110 West Aztec Avenue, at 6:00 p.m. on Tuesday, August 23, 2016.

The meeting was called to order by Mayor Jackie McKinney.

Upon roll call, the following were present:

Mayor: Jackie McKinney

Councilors: Linda Garcia  
Allan Landavazo  
Yogash Kumar  
Fran Palochak

Also present: Maryann Ustick, City Manager

Mayor McKinney said George Kozeliski, City Attorney, was attending meetings in Albuquerque.

Presented to the Mayor and Councilors were the Minutes of the Regular Meeting of August 9, 2016.

Councilor Kumar made the motion to approve the aforementioned Minutes. Seconded by Councilor Garcia. Roll call: Councilors Kumar, Garcia, Landavazo and Mayor McKinney all voted yes. Councilor Palochak abstained. Motion carried.

Presented to the Mayor and Councilors were the following Discussion/Action Topics:

1. Request for Street Closure for the Gallup Film Festival to be Held September 17-18, 2016 – Knifewing Segura, Gallup Film Festival

Mr. Segura presented the request to close Coal Avenue from Second Street to Third Street beginning at 4:00 a.m. on September 17<sup>th</sup> through 7:00 p.m. on September 18<sup>th</sup>. He provided an overview of the event and answered questions pertaining to the proposed closure of the street.

Following discussion, Councilor Garcia made the motion to approve the request for street closure for the Gallup Film Festival to be held September 17-18, 2016. Seconded by Councilor Kumar. Roll call: Councilors Garcia, Kumar, Landavazo, Palochak and Mayor McKinney all voted yes.

2. "Our Town" Grant Application to the National Endowment for the Arts for the Design of the Coal Avenue "Event Street" Project – Maryann Ustick, City Manager

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Ms. Ustick and Evan Williams, Deputy Director, Northwest New Mexico Council of Governments, presented the proposed grant application to be jointly submitted to the National Endowment for the Arts by the City and GallupARTS. The proposed application is in the maximum amount of \$200,000 and would be used for the design of the Coal Avenue “Event Street” project, which is referenced in the Metropolitan Redevelopment Area and Arts and Cultural Master Plans previously adopted by the Mayor and Councilors. The application requires a dollar for dollar match as matching funds from committed sources would need to be available in August 2017. A “soft commitment” of \$50,000 from the City of Gallup is recommended as one of the matching funding sources for the application.

Councilor Palochak made the motion to approve the “Our Town” Grant Application to the National Endowment for the Arts for the design of the Coal Avenue “Event Street” Project. Seconded by Councilor Garcia. Roll call: Councilors Palochak, Garcia, Kumar, Landavazo and Mayor McKinney all voted yes.

3. Resolution No. R2016-33; Approval of Gallup MainStreet Arts and Cultural District Professional Services Agreement – Maryann Ustick, City Manager

Ms. Ustick presented the proposed Resolution and Professional Services Agreement in the amount of \$40,000 for the current fiscal year.

Discussion followed concerning the hiring of a director for Gallup MainStreet Arts and Cultural District.

Councilor Landavazo made the motion to approve Resolution No. R2016-33 and the Professional Services Agreement with Gallup MainStreet Arts and Cultural District. Seconded by Councilor Palochak. Roll call: Councilors Landavazo, Palochak, Garcia, Kumar and Mayor McKinney all voted yes.

4. Request for Lodgers’ Tax Funding for “Turf Wars 2” Softball Tournament – Catherine Sebold, Tourism and Marketing Manager

Jennifer Lazarz, Acting Tourism and Marketing Manager, presented the request for lodgers’ tax funding for promotion of the softball tournament in the amount of \$3,000. She provided the dates of the tournament, the number of teams participating and the approximate number of players per team.

Discussion followed concerning the number of teams that have been invited from the four corners region to participate in the tournament, the positive recommendation from the Lodgers’ Tax Committee for funding the event and the follow-up information

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requested by the Mayor regarding the tournament participation as well as the economic impact for hosting the event.

Councilor Garcia made the motion to approve the request for lodgers' funding for "Turf Wars 2" Softball Tournament. Seconded by Councilor Landavazo. Roll call: Councilors Garcia, Landavazo, Palochak and Mayor McKinney all voted yes. Councilor Kumar abstained. Motion carried.

5. Re-Appointment of Carol Sarath, Janet Tempest and Rhonda Gishi-Chicharello to the Octavia Fellin Public Library Board – Mayor Jackie McKinney

Mayor McKinney recommended the re-appointments of Ms. Sarath, Ms. Tempest and Ms. Gishi-Chicharello to the Library Board.

Councilor Palochak made the motion to approve the re-appointments of Carol Sarath, Janet Tempest and Rhonda Gishi-Chicharello to the Octavia Fellin Public Library Board. Seconded by Councilor Kumar. Roll call: Councilors Palochak, Kumar, Garcia, Landavazo, and Mayor McKinney all voted yes.

6. Appointment of Jon DeYoung to the Board of Directors of the Business Improvement District – Mayor Jackie McKinney

With the vacancy created by the resignation of Rick Snider, former General Services Director, Mayor McKinney recommended the appointment of Jon DeYoung, Assistant City Manager, to the Board of Directors of the Business Improvement District.

Councilor Palochak made the motion to approve the appointment of Jon DeYoung, Assistant City Manager, to the Board of Directors of the Business Improvement District. Seconded by Councilor Kumar. Roll call: Councilors Palochak, Kumar, Garcia, Landavazo and Mayor McKinney all voted yes.

7. Ordinance No. C2016-9; An Ordinance Regarding the Operation of Off-Highway Motor Vehicles on City Streets – George Kozeliski, City Attorney

Mayor McKinney presented the proposed Ordinance for final adoption. Based on discussion concerning the proposed Ordinance last month, a change was made to increase the speed limit for off-highway motor vehicles from 35 to 45 miles per hour or the posted speed limit, whichever is less. Mayor McKinney also pointed out that the proposed Ordinance requires off-highway motor vehicles to have the proper safety equipment and the operators of such vehicles must have valid licenses or permits.

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Councilor Landavazo said the proposed Ordinance may provide the City with increased economic opportunities in the future by being able to draw off-highway motor vehicles events to the community.

Councilor Palochak made the motion to approve Ordinance No. C2016-9. Seconded by Councilor Landavazo. Roll call: Councilors Palochak, Landavazo, Kumar, Garcia and Mayor McKinney all voted yes.

8. Request for the Use of City Water for Construction of Reach 27.6 of the Navajo Gallup Water Supply Project – George Kozeliski, City Attorney

Dennis Romero, Water and Sanitation Director, presented the request for the use of City water outside the city limits for construction of the project. The contractor plans to use non-potable water from the Hasler Valley well and City water from a hydrant. The bulk water rate of \$12.52 per 1,000 gallons will be assessed to the contractor.

Councilor Garcia made the motion to approve the request for the use of City water for construction of Reach 27.6 of the Navajo Gallup Water Supply Project. Seconded by Councilor Kumar. Roll call: Councilors Garcia, Kumar, Landavazo, Palochak and Mayor McKinney all voted yes.

9. Approval of Budget Adjustment for PRC EMS Grant and Annual NM Fire Fund Award – Chief Eric Babcock, Gallup Fire Department

Chief Babcock presented the proposed budget adjustment request to deposit \$15,204 in EMS grant funds into account #206-2541-422-46-10 for emergency medical support and to deposit \$383,731 in State fire funds into the following accounts: \$318,731 into account #209-2541-422-46-20, \$25,000 into account #209-2541-422-47-04 for specialized training for operating the new 100 ft. aerial platform truck, and \$40,000 into account #209-25-41-422-48-70 for the purchase of a support vehicle for the Fire Chief as an alternate command vehicle.

Discussion followed concerning the possible claw back of State funding due to the State's current budget crisis and the future use of Fire Department vehicles.

Councilor Kumar made the motion to approve the budget adjustment for PRC EMS Grant and Annual NM Fire Fund award. Seconded by Councilor Garcia. Roll call: Councilors Kumar, Garcia, Landavazo, Palochak and Mayor McKinney all voted yes.

10. Approval of Budget Adjustment for Police Department – Patty Holland, Chief Financial Officer

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Ms. Holland presented the request for a budget adjustment to recognize grant revenue in the amount of \$67,200 to be used for training at the Police Department. An additional \$8,649 is available from last fiscal year for a total fund amount of \$75,849.

Councilor Garcia made the motion to approve the budget adjustment for the Police Department as presented. Seconded by Councilor Kumar. Roll call: Councilors Garcia, Kumar, Landavazo, Palochak and Mayor McKinney all voted yes.

11. Approval of Budget Adjustment for Animal Control – Patty Holland, Chief Financial Officer

Ms. Holland presented the request for a budget adjustment to include an additional Animal Control Officer to the City's payroll that will be funded by the County. As a result of the request, the City's payroll will be increased by \$45,000 to cover wages and benefits for the additional officer.

Councilor Palochak made the motion to approve the budget adjustment for Animal Control as presented. Seconded by Councilor Garcia. Roll call: Councilors Palochak, Garcia, Kumar, Landavazo and Mayor McKinney all voted yes.

12. Acceptance of Two Recycling And Illegal Dumping (RAID) Grants and Budget Adjustments to Reflect Grant Revenue and Expenditures – Dennis Romero, Water and Sanitation Director

Mr. Romero and Elizabeth Barriga, Environmental Program Coordinator, provided an overview of the grant awards from the New Mexico Environment Department. The first grant, in the amount of \$8,292.60, will be used for the purpose of implementing an indoor recycling collection project in the City's administration buildings. The City has partnered with the Regional Solid Waste Authority to implement the project under the first grant. The second grant, in the amount of \$5,226.08, will be used for the purchase, installation and utilization of a recycling educational storage depot/shed for storing donated recycling materials. The City has partnered with the McKinley Citizens' Recycling Council to implement the project under the second grant.

Councilor Landavazo made the motion to accept the two Recycling and Illegal Dumping (RAID) Grants and to approve the budget adjustments to reflect grant revenue and expenditures. Seconded by Councilor Palochak. Roll call: Councilors Landavazo, Palochak, Garcia, Kumar and Mayor McKinney all voted yes.

13. Resolution No. R2016-34; Fiscal Year 2016-2017 New Mexico Department of Transportation Cooperative Funding Agreement – Stan Henderson, Public Works Director

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Mr. Henderson said the New Mexico Department of Transportation has made \$130,351 available to the City for the paving and repair of its streets. The State's funding requires a 25% match from the City in the amount of \$43,450 for a total funding amount of \$173,801. The total funding will be used for the Street Department's mill and overlay program.

Councilor Kumar made the motion to approve Resolution No. R2016-34. Seconded by Councilor Garcia. Roll call: Councilors Kumar, Garcia, Landavazo, Palochak and Mayor McKinney all voted yes.

14. Resolution No. R2016-35; Acceptance of Legislative Appropriation 16-A2457 for the Indian Hills Park Power & Lighting Improvement Project – Stan Henderson, Public Works Director

Mr. Henderson said the proposed Resolution would authorize the acceptance of \$50,000 of the 2016 State appropriation for the project. The \$50,000 will not cover the construction costs of the project; however, staff recommends usage of the funds for the design and engineering costs of the project. There are three issues that need to be addressed during the engineering planning and design phase of the project: 1) upgrade park power distribution system; 2) improve parking lot lighting; and 3) improve ball field lighting.

Councilor Landavazo made the motion to approve Resolution No. R2016-35. Seconded by Councilor Palochak. Roll call: Councilors Landavazo, Palochak, Garcia, Kumar and Mayor McKinney all voted yes.

15. Resolution No. R2016-36; Acceptance of Legislative Appropriation 16-A2459 for the New City Skate Board Park Construction Project – Stan Henderson, Public Works Director

Mr. Henderson said the proposed Resolution would authorize the acceptance of \$195,000 State appropriation for the project. Unfortunately, there is still a shortfall of over \$143,225.82 for the construction of the project.

Discussion followed concerning the "go fund me" program and funding allocations from the Southwest Indian Foundation for the project, the City's allocation of \$75,000 for the project in the Community Improvement Program and the possible claw back of unused capital outlay funds by the State.

Mayor McKinney instructed Mr. Henderson to work on encumbering all of the legislative appropriations by the State for City projects. Mr. Henderson provided an overview of the projects with State funding that have been encumbered so far.

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Following discussion, Councilor Garcia made the motion to approve Resolution No. R2016-36. Seconded by Councilor Palochak. Roll call: Councilors Garcia, Palochak, Landavazo, Kumar and Mayor McKinney all voted yes.

### 16. August 9, 2016 Special Municipal Election Results – Alfred Abeita, City Clerk

Mr. Abeita said the official canvass of the election was conducted on Thursday, August 11, 2016 before Municipal Judge Grant Foutz. Mr. Abeita presented the Certificate of Canvass of the election which has been filed in the official Minute Book of the City in accordance with State law.

Councilor Palochak made the motion to ratify the results of the August 9, 2016 Special Municipal Election. Seconded by Councilor Kumar. Roll call: Councilors Palochak, Kumar, Garcia, Landavazo and Mayor McKinney all voted yes.

### **Comments by Public on Non-Agenda Items**

Chief Phillip Hart, Gallup Police Department, announced the selection of Capt. Franklin Boyd as the new Deputy Chief of Police. A promotion ceremony for Deputy Chief Boyd and three other officers that have been promoted within the department has been set for 11:00 a.m. on Friday, August 26, 2016 at the El Morro Events Center.

### **Comments by Mayor and City Councilors**

Councilor Palochak said she was pleased to be an observer at the Haz-Mat exercise that was conducted this past weekend. She provided an overview of the exercise which involved a mock incident involving an airplane crash at Gallup High School. Councilor Palochak said she was pleased to be a part of the committee organizing the memorial events for Patriot Day on September 11<sup>th</sup>. She asked everyone to attend the special ceremony to honor the men and women who lost their lives during the terrorist attacks on September 11, 2001. The ceremony will also honor all first responders and will take place beginning at 10:00 a.m. on Sunday, September 11, 2016 at the Courthouse Square.

Councilor Landavazo commented on the pleasant experience he had attending this year's Ceremonial with his family. He also shared the positive comments he received by local golf enthusiasts who have been observing the major improvements being made to the Fox Run Golf Course. He encouraged everyone to keep building the community.

Councilor Kumar also shared the pleasant experience he had attending this year's Ceremonial. He believes this year's Ceremonial was a success; however, he would like to obtain feedback from the Ceremonial Board. He also said the City was fortunate

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to have Rebecca Latham, Cabinet Secretary, New Mexico Department of Tourism, at the Thursday night parade during Ceremonial.

Councilor Garcia said she will hold a Special Neighborhood Association Meeting on Thursday, August 25, 2016 at 6:00 p.m. at Roosevelt Elementary School. The purpose of the meeting is to establish a Neighborhood Watch Program for residents near Roosevelt Elementary School. She commended Alicia Palacios for being selected as the new Deputy City Clerk, Deputy Chief Boyd on his recent promotion and to police officers Anthony Seciwa, Terrence Peyketewa and Nicola Martinez for their promotion to the rank of Sergeant.

Mayor McKinney provided his personal observations of Ceremonial, including a one-arm man riding a mule on top of a stock trailer, while in motion, at the end of the Saturday parade. Mayor McKinney also provided an update on the major improvements being done at the Fox Run Golf Course. He also thanked Councilor Palochak for working with the Fire Department on the September 11<sup>th</sup> Ceremonies. Mayor McKinney also provided information concerning the Gallup Remembers Event, which will be held at El Morro Theater on September 10, 2016 beginning at 1:00 p.m.

### **Comments by City Attorney and City Manager**

Ms. Ustick thanked Councilor Palochak for her work on the September 11<sup>th</sup> Ceremonies. Ms. Ustick said City staff has been in contact with the City's financial advisors on the issuance of the General Obligation Bonds which was approved by the voters. The process for the sale of the bonds will take about three months. There will be a planned water outage beginning at 8:00 p.m. on August 23<sup>rd</sup> to about 2:00 a.m. on August 24<sup>th</sup>. The purpose of the outage is to connect the new water line on Boardman Drive.

There being no further business, Councilor Kumar made the motion to adjourn the meeting. Seconded by Councilor Palochak. Roll call: Councilors Kumar, Palochak, Landavazo, Garcia and Mayor McKinney all voted yes.



Alfred Abert II, City Clerk

A blue ink signature of Jackie McKinney, Mayor, written over a horizontal line.

Jackie McKinney, Mayor

Approved 9/13/2016